

Introduced by Senator Evans

February 7, 2013

An act to amend Section 7863 of the Fish and Game Code, relating to commercial fishing.

LEGISLATIVE COUNSEL'S DIGEST

SB 197, as introduced, Evans. Commercial fishing: commercial fishing salmon stamp.

(1) Existing law prohibits specified persons from taking salmon for commercial purposes unless the person has a commercial fishing salmon stamp affixed to his or her commercial fishing license. Existing law requires the Department of Fish and Game to issue a commercial fishing salmon stamp, upon application for the stamp and payment of a base fee of \$85. That base fee is required to be adjusted during specified commercial salmon seasons. However, existing law prohibits the total fees, as adjusted, from exceeding \$260.

Existing law requires that fee revenues be deposited in the Commercial Salmon Stamp Account in the Fish and Game Preservation Fund, and be available to the department upon appropriation by the Legislature for new or expanded salmon restoration and enhancement programs in the state that will serve to increase ocean salmon landings. Existing law provides that not more than 15% of the funds may be used to pay the costs incurred in the administration of the program.

Existing law repeals these provisions as of January 1, 2014.

The bill would extend the operation of these provisions until January 1, 2019.

(2) Existing law generally makes a violation of fish and game laws a crime.

Because this bill would extend operation of the commercial salmon fishing program and thereby the crimes imposed for a violation of those provisions, the bill would create a state-mandated local program by creating new crimes.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7863 of the Fish and Game Code is
2 amended to read:
3 7863. This article shall remain in effect only until January 1,
4 ~~2014~~ 2019, and as of that date is repealed, unless a later enacted
5 statute that is enacted before January 1, ~~2014~~ 2019, deletes or
6 extends that date.
7 SEC. 2. No reimbursement is required by this act pursuant to
8 Section 6 of Article XIII B of the California Constitution because
9 the only costs that may be incurred by a local agency or school
10 district will be incurred because this act creates a new crime or
11 infraction, eliminates a crime or infraction, or changes the penalty
12 for a crime or infraction, within the meaning of Section 17556 of
13 the Government Code, or changes the definition of a crime within
14 the meaning of Section 6 of Article XIII B of the California
15 Constitution.